

Mail Stop AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	Atty. Docket No.:	006916.00008
Stephan HARTWIG et al.		
Serial No.: 09/956,910	Group Art Unit:	2617
Filed: September 21, 2001	Examiner:	Annan Q. SHANG
For: METHOD AND APPARATUS FOR INHIBITING FUNCTIONS OF AN ELECTRONIC DEVICE ACCORDING TO PREDEFINED INHIBIT RULES	Confirmation No.:	2649

REQUEST TO WITHDRAW FINAL OFFICE ACTION

U.S. Patent and Trademark Office, **Mail Stop AF**
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the final office action mailed June 2, 2006, it is respectfully requested that the final office action be withdrawn and treated as a non-final office action.

Applicants thank Examiner Shang for the courtesies extended to the undersigned during a teleconference on June 20, 2006 regarding errors in the office action mailed June 2, 2006, and its improper status as 'final.' As discussed during the teleconference, the office action was improperly designated as 'final,' because U.S. patent no. 6,009,116 to Bednarek et al. constitutes a new ground of rejection to claim 9 that was not necessitated by Applicant's amendment or based on information cited in a recently-submitted information disclosure statement. *See* M.P.E.P. § 706.07(a). Claim 9 was rewritten independent form in the office action filed on March 16, 2006, to include the subject matter of its base claim and any intervening claims. However, claim 9 has not been substantively amended.

Application. No.: 09/956,910
Reply to office action of December 19, 2005

In addition, the office action mailed on June 2, 2006, fails to provide a basis for rejecting claims 7, 9 and 87-91. As such, the office action is clearly improper and, for this additional reason, should not be designated as 'final.'

Accordingly, Applicant respectfully requests withdrawal of the final status of the outstanding office action mailed June 2, 2006.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: September 1, 2006

By: 
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